

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NEURORESTORATIVE MICHIGAN,

Plaintiff,

Case No. 23-10829

v.

HON. MARK A. GOLDSMITH

CITIZENS INSURANCE COMPANY
OF THE MIDWEST,

Defendant.

_____ /

ORDER REGARDING JURISDICTION

This matter is presently before the Court on Defendant Citizens Insurance Company of the Midwest’s notice of removal (Dkt. 1). The notice of removal states that the Court has subject-matter jurisdiction based on diversity of citizenship. See Notice of Removal ¶ 5. Under the diversity jurisdiction statute, 28 U.S.C. § 1332, federal district courts have jurisdiction over matters in which there is “complete diversity such that no plaintiff is a citizen of the same state as any defendant.” V & M Star, LP v. Centimark Corp., 596 F.3d 354, 355 (6th Cir. 2010). A corporation is a citizen of any state by which it has been incorporated and of the state where it has its principal place of business. 28 U.S.C. § 1332(c)(1). The notice of removal refers only to the states in which Plaintiff and Defendant are incorporated, not the states in which they have their principal places of business. See Notice of Removal ¶¶ 6–7. Therefore, the Court cannot conclude that it has subject-matter jurisdiction over this action based on diversity of citizenship.

Defendant is ordered to file an amended notice of removal setting forth proper jurisdictional allegations within 10 days of the date of entry of this order. If Defendant believes that the current allegations are sufficient, it must file a memorandum explaining its position within the same 10-day period. Failure to comply with this order will result in the remand of this case to state court for lack of subject-matter jurisdiction.

SO ORDERED.

Dated: April 25, 2023
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge